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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

DAVID HOUGH; *et al.*

Plaintiffs,

vs.

RYAN CARROLL; *et al.*

Defendants.

Case No.: 2:24-cv-02886-WLH-SK

**DECLARATION OF LEVI Y.  
SILVER IN SUPPORT OF  
STIPULATION BETWEEN  
PLAINTIFFS AND DEFENDANT  
MATTHEW CROUCH  
REGARDING RESPONSE  
DEADLINE TO SECOND  
AMENDED COMPLAINT**

Presiding Judge: Hon. Wesley L. Hsu  
Trial Date: N/A

I, Levi Y. Silver, declare as follows:

1. I am an attorney with the law firm of Solomon Ward Seidenwurm & Smith, LLP, and am counsel of record for defendant Matthew Crouch (“Crouch”) in this action. I have personal knowledge of the matters in this declaration. If called to testify as a witness, I could and would do so. I make this Declaration pursuant to the Court’s Standing Order for Newly Assigned Civil Cases, ¶ H.3.

2. As set forth in the accompanying stipulation, Plaintiffs David Hough, et al., (“Plaintiffs”) filed their initial complaint in this Court on April 9, 2024. ECF No. 1. They filed a first amended complaint (“FAC”) on May 20, 2024. ECF No. 56. The FAC named Crouch as a defendant for the first time.

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1           3.       On July 3, 2024, the Court approved a stipulation between Plaintiffs  
2 and Crouch (the “Service Waiver Stipulation”) in which Crouch waived service of a  
3 summons in this action and Crouch was given until September 30, 2024, to respond  
4 to the FAC.

5           4.       On September 11, 2024, after Plaintiffs indicated that they intended to  
6 file a Second Amended Complaint (“SAC”), Plaintiffs and Crouch stipulated,  
7 subject to the Court’s approval, to stay Crouch’s time to file a responsive pleading  
8 until 30 days from the date Plaintiffs file their then-anticipated SAC, ECF No. 136.  
9 On September 26, 2024, the Court approved the Stipulation and set Crouch’s  
10 deadline to respond to the anticipated SAC for 30 days after the date of the SAC’s  
11 filing. ECF. No. 139.

12           5.       On November 27, 2024, the Court granted Plaintiffs’ motion for leave  
13 to file the SAC. ECF No. 167.

14           6.       On December 4, 2024, Plaintiffs filed their SAC. ECF No. 173.

15           7.       Pursuant to L.R. 15-3, the deadline to respond to an amended pleading  
16 ordinarily begins running on the date that the Court grants the motion for leave to  
17 file the pleading—which in this case, would be November 27, 2024. Plaintiffs’  
18 counsel has advised that Plaintiffs believe that L.R. 15-3 governs Crouch’s response  
19 deadline to the SAC. Under this interpretation, Crouch’s response deadline to the  
20 SAC would fall on December 27, 2024.

21           8.       In Crouch’s view, however, the Court-ordered deadline in the SAC  
22 Stipulation superseded L.R. 15-3, by setting Crouch’s 30-day response deadline to  
23 start running on the date the SAC was actually filed. Under this interpretation,  
24 Crouch’s response deadline to the SAC would fall on January 3, 2025.

25           9.       Regardless of whose interpretation is correct, both of these deadlines—  
26 December 27 and January 3—pose scheduling difficulties associated with the  
27 upcoming holidays.

28       ///

10. Plaintiffs' counsel and Crouch have therefore stipulated that Crouch's deadline to respond to the SAC should be continued to January 17, 2025.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on December 20, 2024 at San Diego, California

/s/ Levi Y. Silver  
Levi Y. Silver